

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

COLORADO MEADOWLARK CORP., §
a Colorado Subchapter S Corporation §
§
Plaintiff, §
§
v. §
§
D. YALE SAGE, KIRK R. SHORT, §
ET AL. §
§
Defendants. §

CASE NO.: 3:11-cv-00922-G

**PLAINTIFF'S SUGGESTION OF RECEIVER AND REQUEST FOR ENTRY OF
ORDER APPOINTING BRENT J. RODINE AS RECEIVER**

TO THE HONORABLE COURT:

COMES NOW, Plaintiff Colorado Meadowlark Corporation (“Plaintiff”), pursuant to the Court’s June 25, 2013 Order, Dkt. 30, granting Plaintiff’s motion for turnover order and requiring the parties to jointly submit a list of proposed receivers by July 8, 2013, hereby submits the following:

I. Shortly after the Court entered its June 25, 2013 Order, Plaintiff spoke with the attorney for D. Yale Sage (“Sage”) and Kirk R. Short (“Short”) and informed him that Plaintiff would provide him with Plaintiff’s proposed designation of receiver. On Friday July 5, 2013, Plaintiff sent its proposed designation to the attorney for Sage and Short and requested that the attorney for Sage and Short contact the undersigned regarding the proposed designation. A true and correct copy of this correspondence is attached hereto as Exhibit A. As of July 8, 2013, the undersigned has not received a response from the attorney for Sage and Short.

II. Plaintiff requests that the Court appoint as receiver in this matter Brent J. Rodine of Quilling, Selander, Lownds, Winslett & Moser, P.C., whose biography is attached hereto as **Exhibit B** and whose contact information is as follows:

Brent J. Rodine, brodine@qslwm.com
2001 Bryan Street, Suite 1800, Dallas, Texas 75201
Telephone: 214-880-1853; Facsimile: 214-871-2111

Mr. Rodine has confirmed his availability to act as receiver in this case and that he does not have any conflicts of interest.

III. Plaintiff also contacted Howard Marc Spector of Spector & Johnson, PLLC regarding the proposed receivership. Despite its efforts, Plaintiff was unable to confirm Mr. Spector's availability to act as receiver in this matter. Further, due to the lack of response by the attorney for Sage and Short, there are no additional potential candidates whose availability to act as receiver in this matter has been confirmed. If the Court requires additional candidates to be submitted, the undersigned is able and willing to comply with any such request.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests entry of the proposed order submitted with this motion, appointing Brent J. Rodine as the duly authorized and appointed receiver in this matter.

RESPECTFULLY SUBMITTED this 8th day of July, 2013.

T. WADE WELCH & ASSOCIATES

/s/ T. Wade Welch
T. Wade Welch
Texas Bar No. 21126720
2401 Fountainview Drive, Seventh Floor
Houston, Texas 77057
Telephone: (713) 952-4334
Facsimile: (713) 952-4994
wwelch@twqlaw.com

COUNSEL FOR CMC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served electronically by the Court's CM/ECF system on July 8, 2013 to:

Charles W. Sartain
Looper, Reed & McGraw, P.C.
1601 Elm Street, Suite 4600
Dallas, Texas 75201

/s/ T. Wade Welch

T. Wade Welch